IN THE HIGH COURT OF JUDICATURE AT BOMBAY
SIDE JURISDICTION
CRIMINAL APPLICATION NO.395 OF 2007
IN
CRIMINAL APPEAL NO.324 OF 2007

Kailash Sitaram Adgale ...Applicant.
V/s.
The State of Maharashtra & Anr. ...Respondents.

Shri Uday Warunjikar, adv. for the Applicant.
Smt. M.H.Mhatre, APP for the Respondent/State.

CORAM: J.H.BHATIA, J.
DATE : 10th April, 2007.

P.C.:

1. Heard the learned counsel for the Parties.

2. The applicant was convicted for the offence punishable under Section 307 of the I.P.C. and was sentenced to undergo R.I. for 7 years and to pay some fine. He has preferred an appeal challenging the conviction and sentence, which is admitted. By this application the applicant seeks to be released on bail pending final hearing and disposal of the appeal.

3. To state in brief, the applicant was a driver. One Neha was working in a call centre at Pune. The car, which the accused was driving, was engaged by the company for transportation of its employees. Therefore, the accused used to transport her from her house to the office and back. Due to this he came to know said Neha. On 31-10-2005 at about 6.00 p.m. the accused stopped Neha and asked her to accompany him in the car, which

she initially declined. But due to the pressure from the accused, she accompanied him. Thereafter, the accused proposed to marry her but she turned down his proposal. Thereafter, the accused threw sulphuric acid on her person causing burn injuries on her face, neck, chest, hands, both legs and thus causing permanent disfiguration of the respective parts of the body. Doctor found that she had suffered 40% burn injuries, out of which 22% were deep burns, which could cause her death. Mr.Warunjikar the learned counsel for the applicant contended that as per the record, the applicant was in custody for one year and 10 months as undertrial prisoner and again since 5th March, 2007, when he was convicted, he is in jail. Thus, practically he is in jail for the last about 2 years and therefore, bail may be granted to him. Taking into consideration the facts and circumstances of the case it would not be in the interest of justice to grant bail to the present applicant.

4. Application stands rejected.

(J.H.Bhatia,J.)